

To: The Honorable Mayor and City Council

From: Marc Elias, Jr., Chief of Police

Date: June 25, 2013

RE: Proposed Resolution Authorizing a Memo of Understanding between the Miami-Dade Police and the North Miami Police Department

RECOMMENDATION

That the City Council adopt a resolution authorizing the City of North Miami to enter into a Memo of Understanding with the Miami-Dade Police Department

BACKGROUND

Florida Statutes Section 23.1225 authorizes law enforcement agencies to voluntarily cooperate and assist other law enforcement agencies in matters of a law enforcement nature.

It is to the advantage of the City of North Miami and the Miami-Dade Police Department to receive and extend mutual aid in the form of law enforcement services and resources.

Attachments

Proposed Resolution
Proposed Memorandum of Understanding

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI POLICE DEPARTMENT, MIAMI-DADE COUNTY, AND THE MIAMI-DADE POLICE DEPARTMENT TO PROVIDE FOR THE NORTH MIAMI POLICE DEPARTMENT'S PARTICIPATION IN "OPERATION STONEGARDEN"; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, the City of North Miami, Miami-Dade County, and the Miami-Dade Police Department are desirous of entering into a Memorandum of Understanding with each other to complement ongoing law enforcement efforts as they apply to illegal alien, narcotic, and terrorist smuggling within the Miami-Dade County area; and

WHEREAS, the intent of "Operation Stonegarden" is to enhance law enforcement preparedness and operational readiness along land and water borders of the United States with strong cooperation between federal, state, and local law enforcement agencies; and

WHEREAS, the Mayor and City Council believe that a Memorandum of Understanding for this purpose will benefit the residents of the City and should be entered into with Miami-Dade County and the Miami-Dade Police Department.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. Approval of Memorandum of Understanding. The Mayor and City Council of the City of North Miami, Florida, hereby approve the Memorandum of Understanding between the City of North Miami, Miami-Dade County, and the Miami-Dade County Police Department for the North Miami Police Department's participation in Operation Stonegarden, attached as "Exhibit 1."

Section 2. Authority of City Manager and Police Chief. The City Manager and the Chief of Police are hereby authorized to execute the Memorandum of Understanding attached as "Exhibit 1" with Miami-Dade County and the Miami-Dade County Police Department.

Section 3. **Effective Date.** This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, this _____ day June, 2013.

LUCIE M. TONDREAU
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: _____

Seconded by: _____

Vote:

Mayor Lucie M. Tondreau
Vice Mayor Marie Erlande Steril
Councilperson Scott Galvin
Councilperson Carol F. Keys, Esq.
Councilperson Philippe Bien-Aime

_____	(Yes)	_____	(No)
_____	(Yes)	_____	(No)
_____	(Yes)	_____	(No)
_____	(Yes)	_____	(No)
_____	(Yes)	_____	(No)

Memorandum of Understanding
Operation Stonegarden
Miami-Dade County
Miami-Dade Police Department and
City of North Miami

1. Purpose:

This Memorandum of Understanding (MOU) will implement the Operation Stonegarden grant awarded to Miami-Dade County from the State of Florida Division of Emergency Management via the Department of Homeland Security, Federal Emergency Management Agency's (FEMA) Operation Stonegarden Grant Program. This MOU is between Miami-Dade County and the City of North Miami. Authority for this grant initiative was approved by the Board of County Commissioners on December 5, 2006, Resolution R-1379-06 (**Attachment 1**).

The intent of Operation Stonegarden (OPSG) is to enhance law enforcement preparedness and operational readiness along land/water borders of the United States with strong cooperation/coordination between federal, state, local, and tribal law enforcement agencies in support of U.S. Customs and Border Protection, U.S. Border Patrol (CBP/USBP), as outlined in the National Border Patrol Strategy.

2. Background:

This operation will be conducted by the Miami-Dade Police Department's Marine Patrol Unit, in conjunction with members of following municipalities, state and tribal law enforcement agencies: Coral Gables Police Department, Miami Police Department, Miami Beach Police Department, North Miami Police, and Florida Fish and Wildlife Conservation Commission. Operations will commence with the current operations order.

The overall mission of Operation Safe Coast is to complement ongoing law enforcement efforts as they apply to illegal alien, narcotic, and terrorist smuggling in the Miami-Dade County AOR. Due to personnel constraints, the majority of marine law enforcement activity in the AOR operates mostly on a day shift, Monday through Friday, with minimal staffing on nights and weekends. Operation Safe Coast will focus enforcement efforts during hours that marine law enforcement in the AOR normally has low staffing levels. The target time is anticipated to being an Evening shift (1800hrs - 0200hrs), when smugglers may anticipate reduced enforcement efforts by marine law enforcement. There are several strategic law enforcement/marine facilities that could be used as a base of operation and or transient point(s), to include; Pelican Harbor Marina, Matheson Hammock Marina and Black Point Marinas.

The MDPD is the primary organizational unit and the City of North Miami is the secondary organizational unit. With regard to this grant, as the grant was awarded to MDC, the MDPD will be the lead organization, as documented in the Operations Order. As the lead organization, the MDPD has primary responsibility to ensure compliance with grant requirements on behalf of MDC.

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City of North Miami

3. Duration of Grant and Related MOU:

The initial operation period is from February 2, 2013 through July 31, 2013. Additional operation periods will be added with related approved Federal funding and Operations Orders. This MOU shall begin effective May 1, 2013, and shall be effective through the end of the grant period, July 31, 2013. All operations must conclude by this date for grant compliance. Requests for an extension must be made in writing by the City of North Miami to the MDPD. Extension requests must be made in compliance with grant requirements, including the grant period.

4. Department Roles and Responsibilities With Regard to This Grant:

The MDPD, as the sub-grantee, will monitor the implementation of this MOU in accordance with the grant requirements. This includes operational and administrative performance, fiscal management, reporting, and other related grant requirements as may be required by Operation Stonegarden and Florida Division of Emergency Management.

The City of North Miami will implement the grant funded initiative in accordance with all requirements provided by FEMA, Florida Division of Emergency Management, and the Miami-Dade Police Department. Also, the City of North Miami will conduct Operation Safe Coast operations in accordance with requirements by the Miami-Dade Police Department as lead agency for this grant.

5. Reporting Requirements

The Florida Division of Emergency Management has specific financial and administrative requirements, including reporting. In consideration of the MDPD role as the primary recipient/sub-grantee and the associated reporting requirements, the City of North Miami shall adhere to the following reporting requirements:

- a. All reports must be submitted to the MDPD Point of Contact;
- b. Program Status reports will use the form in **Attachment 2**;
- c. Reimbursement Requests will use the form in **Attachment 3**;
 - i. Reimbursement Reports must include a printout from agency financial system for the reporting period, the required financial report form, and other corresponding backup documentation.
- d. Report corrective actions using **Attachment 4**.
 - i. For any non-compliance issues, Corrective Action Plans must be submitted to address the non-compliance issues, including the non-compliance issue, specific action(s) to be taken to bring the situation into compliance, the entity/personnel responsible, the date

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to be completed and a copy of the source documentation for verification upon completion.

6. Submission of Reports:

- a. Reports must be submitted by the deadlines identified in **Attachment 5**.
- b. Reports must be signed and dated by authorized personnel
- c. Reports may be sent electronically to the MDPD Point of Contact.

MDPD, as the lead agency, must ensure compliance with all of the reporting requirements in relation to both financial and programmatic reports.

Non-compliance could be treated as a violation of the award agreement. In the event of non-compliance, City of North Miami will be required to submit a corrective action plan (**Attachment 4**) which stipulates the action to be taken to bring the project into compliance, the time frame for this action, and the person(s) responsible.

7. Grant Compliance, Non Compliance and Corrective Action:

The State award is a form of contract, outlining term and conditions for Miami-Dade County. This MOU is likewise a form of contract between Miami-Dade County and the City of North Miami. Non-compliance with requirements is considered a violation of the MOU. The MDPD may use any customary remedial actions necessary to ensure compliance, including withholding funds, termination, or suspension and debarment, as appropriate.

8. Department Representatives:

The Point of Contact for the MDPD is:

Name: Sergeant Randall Rossman
Phone Number: (305) 471-2501
Email Address: rrossman@mdpd.com

The Point of Contact for the City of North Miami is:

Name: Trevor Shinn
Phone Number: (305) 891-0294
Email Address: Tshinn@northmiamipolice.com

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Operation Stonegarden
Miami-Dade County
Miami-Dade Police Department and
City of North Miami

The authorized personnel to sign reports, Fiscal and Operational, for City of North Miami is:

Name: Jorge Manresa
Phone Number: 305 891-0294
Email Address: jmanresa@northmiamipolice.com

9. Grant Requirements:

City of North Miami will be responsible for compliance with all grant requirements as stated in the grant award documents to MDC, **Attachment 6** and all other Operation Stonegarden requirements. In addition, the City of North Miami will implement the project in compliance with the approved Operations Order and budget.

10. MOU Amendment:

The MOU may be amended, based on request submitted in writing to the MDPD. These requests, upon approval, will be authorized by the MDPD, and when necessary by the Florida Division of Emergency Management.

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Miami-Dade County
Miami-Dade Police Department and
City of North Miami

Miami-Dade County:

Carlos A. Gimenez, Mayor
Miami-Dade County

Date

J.D. Patterson, Director
Miami-Dade Police Department

Date

City of North Miami:

Signing Official Name: Stephen Johnson
Print Title: City Manager, North Miami
City of North Miami

Date

Marc Elias, Jr.
North Miami Police Department

Date

Memorandum of Understanding
Operation Stonegarden
Miami-Dade County
Miami-Dade Police Department and
City of North Miami

List of Attachments

- Attachment 1: Board of County Commission Resolution R-1379-06
- Attachment 2: Quarterly Status Report Form
- Attachment 3: Reimbursement Request Form
- Attachment 4: Corrective Action Report
- Attachment 5: Calendar of Reporting Deadlines
- Attachment 6: Approved Operations Order

Attachment 1

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 8(I)(1)(E)

12-05-06

RESOLUTION NO. R-1379-06

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO
APPLY FOR, RECEIVE AND EXPEND APPLICATIONS FOR
GRANT FUNDS FOR HOMELAND SECURITY NEEDS AS
IDENTIFIED IN THE DOMESTIC SECURITY STRATEGY

WHEREAS, the State of Florida developed a statewide, multidisciplinary plan for domestic security known as the Florida Domestic Security Strategy as a key component of the State's Homeland Security Program; and

WHEREAS, the Florida Domestic Security Strategy is implemented via the Regional Domestic Security Task Force under Florida Statute 943.0312; and

WHEREAS, the Miami-Dade Police Department is a member of the Southeast Regional Domestic Security Task Force; and

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes the County Manager to apply for, receive, and expend and amend applications for projects identified in the Domestic Security Strategy for the Southeast Regional Domestic Security Task Force (SERDSTF) and authorizes the County Manager to receive and expend grant funds, execute such contracts and agreements as required by grant guidelines or to further the purposes described in the funding request; following approval by the County Attorney's Office; to expend any and all monies received for the purposes described in the funding request; to apply for, receive and expend future funds should they become available through this federal grant

program; to file and execute any necessary amendments to the application for and on behalf of Miami-Dade County, Florida; and to exercise amendments, modifications, renewal, cancellation and termination clauses of any contracts and agreements on behalf of Miami-Dade County, Florida.

The foregoing resolution was offered by Commissioner Carlos A. Gimenez, who moved its adoption. The motion was seconded by Commissioner Dennis C. Moss and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	aye	Jose "Pepe" Diaz	aye
Dennis C. Moss, Vice-Chairman	aye	Carlos A. Gimenez	aye
Bruno A. Barreiro	aye	Barbara J. Jordan	aye
Audrey M. Edmonson	aye	Natacha Seijas	aye
Sally A. Heyman	aye	Rebeca Sosa	aye
Dorin D. Rolle	aye		
Katy Sorenson	aye		
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of December, 2006. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor; and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency.



KAY SULLIVAN
Deputy Clerk

Eric A. Rodriguez

Memorandum

MIAMI-DADE
COUNTY

Date: December 5, 2006

To: Honorable Chairman Joe A. Martinez and
Members, Board of County Commissioners

Agenda Item No. 8(I)(1)(E)

From: George M. Burgess
County Manager

Subject: Grant Application and Funding through the Homeland Security Program

RECOMMENDATION


It is recommended that the Board approve the attached resolution, authorizing the County Manager to apply for, receive, amend and expend grant funds for projects identified in the Southeast Regional Domestic Security Task Force as identified in the Florida Domestic Security Strategy as funds become available.

BACKGROUND

In response to the events of September 11, 2001, the state of Florida developed a statewide, multidisciplinary plan for domestic security issues known as the Florida Domestic Security Strategy. The backbone of Florida's Domestic Security Strategy is the Regional Domestic Security Task Force (RDSTF). There are seven regions identified in the state. The Southeast Regional Domestic Security Task Force (SERDSTF) encompasses four counties, Broward, Miami-Dade, Monroe, and Palm Beach.

The SERDSTF assists in determining local government needs through specialized personnel, equipment, materials, planning, and training to effectively respond to a major terrorist attack. These needs are established by the 11 workgroups of the SERDSTF and are documented in the Domestic Security Strategy which is updated annually and approved by the Florida Domestic Security Oversight Council. The Domestic Security Strategy provides the regional blueprint for the allocation of funds from various federal and state agencies to meet the documented needs.

Federal and state funding programs are meeting domestic security needs through use of these regional strategies. The strategies provide a structure for collaboration and affords the funding agency the ability to shorten the grant application time periods and the implementation periods for the County. Should it be granted, this authorization will expedite and streamline the grants process and avail the County of additional funding opportunities for security needs.


Susanne M. Torriente
Assistant County Manager

Attachment 2 – Quarterly Status Report

Operation Stonegarden
Miami-Dade County
Miami-Dade Police Department

Subgrantee: Miami-Dade County / Miami-Dade Police Department

Sub-recipient: _____

Project Name: Operation Stonegarden Grant

Memorandum of Understanding Period: _____

Reporting Quarter: _____

Provide Signed Report Via Email to:

Sergeant Randall Rossman
Miami-Dade Police Department / Fiscal Administration Bureau
rrossman@mdpd.com

Telephone: 305-471-2520

Attach the following information to this signed form:

1. Dates of Stonegarden Operations for your agency/department
2. Names of participating personnel corresponding with each operation.

I hereby certify that the attached report is true and valid in accordance with the project agreement.

Signature Chief Financial Officer or Designated Representative _____ Date _____

Please Print Name _____

Attachment 3 – Reimbursement Request

Operation Stonegarden

Miami-Dade County

Miami-Dade Police Department

County: Miami-Dade	Period of Report:	Report #:
Subgrantee: Miami-Dade County / Miami-Dade Police Department		Sub-recipient:
<u>Provide Signed Report Via Email to:</u> Sergeant Randall Rossman Miami-Dade Police Department / Fiscal Administration Bureau rlrossman@mdpd.com Telephone: 305-471-2520		
<u>Please attach payroll documents required by the Miami-Dade Police Department for this Operation Stonegarden overtime reimbursement.</u>		
_____ is requesting reimbursement in the amount of: _____ (Agency Name)		
I hereby certify that the attached report is true and valid in accordance with the project agreement.		
Signature Chief Financial Officer or Designated Representative		Date
Please Print Name _____		

DETAILS OF STONEGARDEN OPERATIONS

County: Miami-Dade	Report#	Period:	
Operational Personnel Overtime Costs. Operational personnel overtime costs associated with law enforcement activities in support of border law enforcement agencies for increased border security enhancement.		Name of Person Preparing Report: Telephone Number:	
		OT Rate	Amount
		Name of Officer	Number of OT Hours
This column total appears on Summary Statement.		T	

Attachment 4 – Corrective Action Plan

Operation Stonegarden

Miami-Dade County

Miami-Dade Police Department

Subgrantee: Miami-Dade County / Miami-Dade Police Department

Sub-recipient: _____

Project Name: Operation Stonegarden Grant

Memorandum of Understanding Period: _____

Reporting Quarter: _____

Provide Signed Report Via Email to:

Sergeant Randall Rossman

Miami-Dade Police Department / Fiscal Administration Bureau

rlrossman@mdpd.com

Telephone: 305-471-2520

Describe the non-compliance issue:	
Action to be taken to bring project into compliance:	
Time frame for this action to be taken:	
Person(s) responsible for these actions (include telephone numbers):	

I hereby certify that the attached report is true and valid in accordance with the project agreement.

Signature Chief Financial Officer or Designated Representative

Date

Please Print Name

Attachment 5 – Calendar of Reporting Deadlines
Operation Stonegarden
Miami-Dade County
Miami-Dade Police Department

Calendar of Reporting Deadlines

Quarter 1:	January 1, 2013 – March 31, 2013	Report Due: April 15, 2013
Quarter 2:	April 1, 2013 – June 30, 2013	Report Due: July 15, 2013
Quarter 3:	July 1, 2013 - July 31, 2013	Report Due: August 16, 2013 Final Report

Attachment 6 OPSG Operations Order Worksheet

Date Received from the Field:		02/08/13		
Date the Operations Order was Worked by OBP Ops:		02/11/13		
Operations Order Number:		13-MIPPPF-02-001		
Operation start date:		02/01/2013		
County:	Dade	Grant Year:	2010	
State:	Florida			
Sector:	Miami	FY Award Amount/Balance:	\$0.00	
Does the OpOrder OT Request Exceed 50% of the award? (Letter is needed if OT is over 50% because of Price Act): OT Justification Letter Attached?: Vehicle Justification Letter?: Date Forwarded to SPPA:		Yes	Overtime:	\$81,936.59
			Fringe:	\$0.00
			Equipment:	\$0.00
		Yes	Fuel:	\$8,163.41
		N/A	Maintenance:	\$0.00
			Mileage:	\$0.00
			Travel:	\$0.00
		1/0/1900	County M&A:	\$0.00
		Total		\$90,000.00

SIGNATURES:

Reviewed by:

Rodgers

Op. approved by:

St. Hilaire

NOTES:

Kicked Back?: No

Date of Kick Back: N/A

Reason for Kick Back: N/A

Date Returned from the Field: N/A

Kicked Back a Second Time?: N/A

ADDITIONAL NOTES: